

SERC Meeting
August 14, 2000
10:00 a.m.

John Pack began the meeting at 10:02 a.m. a quorum was present, for those in attendance see attached roster. The minutes of June 21, 2000 were reviewed. Mr. Pack asked for corrections, deletions or additions. Rick Atkinson moved to approve the minutes, Rudy Raynes seconded. Motion passed.

HMEP Grants - Mr. Pack asked Dave Wheatcraft give an update on 2000 HMEP Grants. Mr. Wheatcraft reported several LEPC's have completed their projects and projects are available for review. Mr. Wheatcraft said J.R. Bias (Kanawha/Putnam LEPC Administrator) would like to discuss reallocating a portion of their grant funding. Mr. Bias explained the original application allocated a certain amount for reproduction of CD's. KPEPC has been able to obtain a reduced rate when they reproduce the CD's. The LEPC would like to take those savings and reprint additional copies of the LEPC plan for distribution, no additional funds are requested. Mr. Pack said in other words you are asking to change the number of items printed or copied but no additional funding, just a modification of the original grant application. Richard Jarvis made a motion to approve Kanawha/Putnam LEPC's request to reallocate funding of their 2000 HMEP Grant. Rick Atkinson seconded. Motion passed.

SERC Grants - It was noted the deadline for LEPC's to receive their SERC grants has passed. Title 55 states a second request for payment must be received no later than 1 July or remaining funds revert back to the SERC. It was asked if that stipulation could be delayed or if something else could be done. Mr. Pack asked how many LEPC's are affected by the situation? Laverne said 18 LEPC's have requested SERC Grants, of those 9 have completed funding, 1 has requested a second payment and 8 have received their initial requests. Mr. Pack said we can not change the law but we can send out a clarification letter informing those 8 LEPC's they have 30 days to request additional funding or lose their remaining SERC Grants. During the 2001 grant year we need to reinforce the 1 July deadline and send a reminder out no later than 1 May. There was discussion on the proposed changes to Title 15 in the next legislative session. It was noted if Title 15 changes, Title 55 (Administrative Rules) must also be changed to reflect those changes. Laverne said if Title 55 is changed the board should look at some of the rules currently in effect for grants and activities. Many LEPC's are not sure what projects or activities are acceptable or allowable, the law is very ambiguous. Discussion continued on Title 15, Mr. Pack said some legislators have expressed an interest in changing Title 15 in directions he is uncomfortable with and the SERC Board may need to be consulted if those

proposed changes are not modified. Mr. Pack said the Attorney General's Office will be consulted concerning any changes and if those changes are lawful and in accordance with our Constitution. Mr. Pack said the Governor has the authority by Executive Order to change Title 55 to reflect changes made to Title 15 changes if they occur.

Old Business - Counter-Terrorism workshops throughout the state continue, 4 workshops have been completed and the remaining three will be held at the end of August and September. Attendance overall have been excellent and evaluation sheets have reflected the benefit of the workshops. Dave Wheatcraft said work on a capability assessment is continuing. He is endeavoring to coordinate with relevant state and local agencies; workshops may be planned in November to gather the appropriate information. Mr. Pack said during a recent Counter-Terrorism workshop a participant associated with a local newspaper wrote an article containing gross exaggerations or misrepresentations. Mr. Pack said he discussed the situation with Mr. Cox, the Cabinet Secretary and the Governors Office. A rebuttal was sent to the Beckley and Bluefield/Princeton papers and was printed in its entirety. A discussion continued concerning the newspaper article and it's effect on the surrounding communities.

Mr. Wheatcraft asked Rudy Raynes about protection of Hazmat Teams through the State Fire Marshal's Office. Mr. Raynes said Mr. Lewis indicated if WVFSM had the Hazmat Teams training criteria on record a letter could be provided stating the Fire Marshal's position on their Hazmat Teams. Mr. Raynes suggested WVOES send Mr. Lewis a letter requesting protection under the law for Hazmat Teams throughout the state. Mr. Lewis will respond back with the necessary requirements those teams need in order to qualify for protection. Mr. Pack said once information is received from WVFSM it will then be forwarded to private and volunteer Hazmat teams.

Plan Reviews - Two counties submitted revised plans, Kanawha/Putnam and Tucker. Mr. Pack asked if both met all 9 required criteria? Laverne said Kanawha/Putnam has but was unsure about Tucker. Mr. Pack suggested Tucker be tabled until Kim Hallam returns, both LEPCs have current plans, these are updates only. Tucker has not applied for a 2001 HMEP Grant so tabling the plan review will not affect a grant application. Rick Atkinson moved to accept Kanawha/Putnam's revised plan, Rudy Raynes seconded. Motion passed.

LEPC Membership Approvals - There are a number of LEPC's with updated lists, all have met the minimum requirements of 12 members for each required category with the exception of Hardy County. There are minor changes to

categories for individual LEPCs: Cabell/Wayne - Linda Whaley works for the State Health Department not the county, Keith Richmond is with Wayne VFD not Wayne County VFD and Roger Workman is not in the VFD, he now works for Intelos. Marshall/Wetzel County: Tom Westfall is the assistant LEPC Chairman and Tom Hart is the chairman, Brad Barless is county coordinator and Kenny Rhodes can be deleted. Mr. Pack suggested Marshall/Wetzel be tabled until a corrected list be submitted since it will not affect any grant applications. Harrison: Edgar Hess and Walter Swiget should be listed under Local Environmental instead of Health. Rick Atkinson moved we accept all LEPC membership lists with changes except Hardy County, Richard Jarvis seconded. Motion passed. Rick Atkinson moved to accept Hardy County with the stipulation they appoint a Health Representative, Jim Riggs seconded. Motion passed.

By-Laws - Dave Wheatcraft reported Roane County and Pocahontas County LEPCs have submitted corrections to their By-Laws as the SERC requested. Doddridge County has not sent in the required signature page, they will be contacted again. Mr. Pack asked if Doddridge County has requested a 2001 grant? Mr. Wheatcraft said they have not applied for HMEP or SERC Grants so the delay in approving their By-Laws will not cost them any funding. Richard Jarvis moved to un-table Roane and Pocahontas County By-Laws, Rick Atkinson seconded. Motion passed. Richard Jarvis moved to accept Roane and Pocahontas County By-Laws as amended, Rick Atkinson seconded. Motion passed.

Training Subcommittee - Jim Cox reported he received information from Prison Industries on printing of the FEMA Manual with appropriate color pages will be approximately \$150 each. CD's will be under \$10. Mr. Cox recommends we encourage distribution of the CD's as opposed to hard copies. Most of the 911 Centers will be able to utilize the CD ROMs but producing the hard copies at \$150 is not in the budget. A job aid on Terrorism has been sent to various Fire Departments, probably those who replied to surveys sent out by NFA. These books work well with our new Terrorism Plan, Mr. Cox will obtain a copy and determine if they can be reprinted and the cost of doing so. Jim Cox will contact John Tagg (Ohio County) concerning a technician class training with Duran Brown RESA III.

HMEP Grant Subcommittee - Jim Riggs (Chairman) explained the committee's 2001 recommendations. One LEPC was turned down completely (Hancock/Brooke) they requested funding for 1st responder training- that is not an allowable expenditure neither is purchasing vests. Training funds are available from other sources. Several other LEPCs funding requests have also reduced: Cabell/Wayne was reduced because two LEPCs were able to develop a

tabletop simulator for considerably less, it was felt all three LEPCs should have approximately the same funding. Gilmer requested a part-time OES Director which is not an allowable expenditure. Lewis/Upshur's request to produce a video was not approved, several counties already have videos it was felt those could be utilized, they could be reproduced instead of producing a completely new video. It was determined that most commodity flow studies (with the exception of very large, industrial counties) could be done for \$5000 or less. Mr. Pack said the committee has a tough job trying to balance the amount of funding with the number of requests and the types of projects proposed. The committee also permitted several counties to exceed the maximum of \$5000 for single county and \$6000 for multi-county LEPC's. There was considerable discussion about funding limits, tabletop simulators, the chemical industry, railroads and interstate routes. Jim Riggs said the reason Kanawha/Putnam was approved for a higher amount was because of the number of Interstates running through it: I-79, I-77 and I-64. A commodity flow study will enable surrounding counties to also utilize the information because what goes up I-77 will almost certainly be going to/through Parkersburg and so on. Mr. Riggs said approval of Berkeley County's request will enable hospitals, nursing homes, schools and other appropriate populations to be notified of severe weather, hazmat incidents and other risks to the community. Mr. Riggs said before radios are distributed, Berkeley County needs to provide the SERC with information of where and when and how many radios. Mr. Pack said their plan also needs to reflect the added requirement and notification procedures. Mr. Pack asked about Tyler County's request. Rudy Raynes said part of Tyler County's request is for a school plan, schools are already required by the State Fire Marshall and the County Board of Education to have plans in place. Mr. Pack continued to discuss Cabell/Wayne and Wood County tabletop simulator grant applications and the reasons the committee felt necessary to reduce funding to Cabell/Wayne. Richard Jarvis made a motion to accept the subcommittees recommendations, Roy McCallister seconded. Discussion continued on reasons for reducing funding requests for those LEPC's whose funding was decreased. Motion passed. Rick Atkinson moved to waive caps on grant amounts this year, Richard Jarvis seconded. Motion passed. Rick Atkinson made a motion to reallocate excess funds if they occur to LEPC's that received reduced funding, Joe Wyatt seconded. Motion passed. Dan McKinney made a motion to reduce Kanawha/Putnam's award by \$1000, Rick Atkinson seconded. Motion passed.

Other New Business - Rick Atkinson (WV DEP, Office of Air Quality) is retiring and this will be his last meeting. He and his wife will be spending part of the year in West Virginia and the rest in Holden Beach/Long Beach, North Carolina. The Board gave Mr. Atkinson a Certificate of Appreciation recognizing his exceptional service from January 1995 to August 2000 as an outstanding member of the

State Emergency Response Commission. Mr. Atkinson said a few words concerning his retirement and introduced his replacement - Bobby Scroty also from Air Quality, she handles 112R.

There was discussion concerning the next SERC Conference, the majority of comments from the evaluations were positive except for the quality of the food. Neither Pipestem nor Snowshoe has so far been willing to coordinate with us in blocking rooms, or making other considerations for the months of July or August. During the upcoming Counter-Terrorism workshops Mr. Pack and Mr. Wheatcraft will discuss with Pipestem and Snowshoe the possibility of having our conference at one of their facilities.

Rick Atkinson moved to adjourn, Roy McCallister seconded. Meeting ended at 11:50 a.m. Next scheduled meeting will be October 10, 2000 10:00 a.m.